

Application Serial No.: 09/462,502  
Reply to Office Action dated August 28, 2003

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, 5-17, 19, and 20 are presently active in this case, Claims 1, 12-17, and 19 having been amended by way of the present Amendment. Claims 2, 4, and 18 have been canceled without prejudice or disclaimer.

Claim 20 has been allowed.

The Official Action did not contain rejections of dependent Claims 12, 15, 17, and 19, and thus these claims are believed to be allowable. Accordingly, Claims 12, 15, 17, and 19 have been rewritten in independent form, and thus these claims are in condition for allowance.

In the outstanding Official Action, Claims 1, 3, 5, 13, 14, and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Totani et al. (U.S. Patent No. 5,865,461). Claims 6-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Totani et al. For the reasons discussed below, the Applicant requests the withdrawal of the art rejections.

In the Office Action, the Totani et al. reference is indicated as anticipating each of Claims 1, 13, 14, and 16. However, the Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the Totani et al. reference clearly does not meet each and every limitation of the independent Claims 1, 13, 14, and 16.

Claims 1 and 13 recite, among other features, a joint portion joined with a cover body

provided around an opening portion formed in a main body, wherein the joint portion constitutes an overlapping portion in which an outer peripheral edge of the cover body overlaps and is provided on the inner side of an opening edge of the main body. The Applicants respectfully submit that the Totani et al. reference does not disclose such features.

The Totani et al. reference an interior finish member having a door suitable for an air bag and includes a main body (11) and a cover portion (12). The Official Action refers to facing member (17) for the teaching of the joint portion recited in Claims 1 and 13 of the present application. However, the joint portion in Claims 1 and 13 is recited as constituting an overlapping portion in which an outer peripheral edge of the cover body overlaps and is provided on the inner side of an opening edge of the main body. As can be seen in Figure 1 of the Totani et al. reference, the facing member (17) does not include an outer peripheral edge of the cover portion (12) that overlaps and is provided on an inner side of an opening edge of the main body (11). To the contrary, the facing member (17) is a member that is simply disposed over the outer surfaces of the main body (11) and the cover portion (12). (See, e.g., Figure 1 and column 6, lines 62-64, of the Totani et al. reference.) Accordingly, since the Totani et al. reference does not disclose all of the limitations recited in Claims 1 and 13, then the Applicants respectfully submit that Claims 1 and 13 are not anticipated by the Totani et al. reference.

Claims 3 and 5-11 are considered allowable for the reasons advanced for Claim 1 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 1.

Claim 14 recites, among other features, a cover body that includes a deformation

restricting portion provided at an outer peripheral edge of the cover body, wherein the deformation restricting portion restricts deformation of the cover body caused by a molding pressure which acts at a molding time of the main body. Claim 16 recites, among other features, a main body that includes a deformation restricting portion provided at the periphery of the opening portion, wherein the deformation restricting portion restricts deformation of the main body caused by a molding pressure which acts at a molding time of the cover body. The Applicants respectfully submit that the Totani et al. reference does not disclose such features.

The Official Action refers to the main body (11) in the Totani et al. reference for the teaching of the deformation restricting portion recited in Claims 14 and 16 of the present application. However, Claim 14 expressly recites that the cover body, and not the main body, includes a deformation restricting portion. Clearly the main body (11) of the Totani et al. reference does not close an opening portion of the main body (11), as would be the case if the main body (11) were read on the deformation restricting portion recited in Claim 14 of the present application. With regard to Claim 16, the Applicants respectfully submit that the Totani et al. reference does not disclose a deformation restricting portion that restricts deformation of the main body (11) caused by a molding pressure which acts at a molding time of the cover portion (12), as is recited in Claim 16. As evidenced by the depictions in Figures 4(b) and 4(c), the main body (11) does not include a deformation restricting portion provided at the periphery of an opening portion and adapted to engage with a mold face to restrict deformation of the main body (11) during molding of the cover portion (12). Accordingly, since the Totani et al. reference does not disclose all of the limitations recited in Claims 14 and 16, then the Applicants respectfully submit that Claims 14 and 16 are not

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anticipated by the Totani et al. reference.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Registration No. 25,599  
Attorney of Record

Christopher D. Ward  
Registration No. 41,367

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/01)

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